

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

McMANIMON, SCOTLAND & BAUMANN, LLC

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*Counsel for Daryl Fred Heller, the Chapter 11
Debtor and Debtor-in-Possession*

In re:

DARYL FRED HELLER,

Debtor.

Chapter 11

Case No. 25-11354 (JNP)

**NOTICE OF DEBTOR'S MOTION FOR AN ORDER
TO QUASH RULE 2004 SUBPOENA SERVED BY
PRESTIGE ON EDWARD A. PHILLIPS, AS
EXAMINER**

PLEASE TAKE NOTICE that on June 24, 2024 at 11:00 a.m., or as soon thereafter as the movant may be heard, Daryl Fred Heller, the Chapter 11 Debtor (the “Debtor”), shall move before the Honorable Jerrold N. Poslusny, Jr., United States Bankruptcy Judge at the Mitchell H. Cohen U.S. Courthouse, 400 Cooper Street, Courtroom 4C, 4th Floor Camden, New Jersey 08101, pursuant to his Motion for an Order to Quash Rule 2004 Subpoena (the “Subpoena”) Served by Prestige¹ on Edward A. Phillips (the “Examiner”), as Examiner (the “Motion”).

¹ The Subpoena was served on behalf of Prestige Fund A, LLC, Prestige Fund A IV, LLC, Prestige Fund A IX, LLC, Prestige Fund B, LLC, Prestige Fund B II, LLC, Prestige Fund B IV, LLC, Prestige Fund B V, LLC, Prestige Fund B VI, LLC, Prestige Fund B VII, LLC, Prestige Fund B BTM I, LLC, Prestige Fund A II, LLC, Prestige Fund A V, LLC, Prestige Fund A VI, LLC, Prestige Fund A VII, LLC, Prestige Fund D, LLC, Prestige Fund D III, LLC, Prestige Fund D IV, LLC, Prestige Fund D V, LLC, Prestige Fund D VI, LLC, Prestige Fund D BTM I, LLC, WF Velocity I, LLC, WF Velocity Fund IV, LLC, WF Velocity Fund V, LLC, WF Velocity Fund VI, LLC and WF Velocity Fund VII, LLC (collectively, “Prestige”).

PLEASE TAKE FURTHER NOTICE that in support of the within Motion, the Debtor will rely upon the Memorandum of Law in Support of the Motion and the Certification of Sari B. Placona, Esq. in Support of the Motion, with exhibits annexed thereto.

PLEASE TAKE FURTHER NOTICE that objections, if any, to the relief requested in the Motion shall: (i) be in writing; (ii) state with particularity the basis of the objection; and (iii) be filed with the Clerk of the United States Bankruptcy in accordance with D.N.J. LBR 9013-2.

PLEASE TAKE FURTHER NOTICE that unless an objection is timely filed and served, the Motion will be deemed uncontested in accordance with D.N.J. LBR 9013-3(d) and the relief may be granted without a hearing.

PLEASE TAKE FURTHER NOTICE that an order granting the relief requested herein is submitted herewith and made part of the Motion herein.

**McMANIMON, SCOTLAND
& BAUMANN, LLC**
*Counsel to Daryl Fred Heller Chapter 11 Debtor
and Debtor-in-Possession*

By: _____ /s/ *Sari B. Placona*
SARI B. PLACONA

Dated: June 3, 2025